Adult Safeguarding Policy and Procedure

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Approved By: Michael Burke, Registered Manager
Applies To: Foundry Wharf, Heyeswood and all TogetherCare staff working within these services

1. Introduction

TogetherCare is committed to safeguarding adults with care and support needs from abuse, neglect, exploitation and improper treatment.

Safeguarding is everyone's responsibility. All staff must act promptly where they identify, witness, receive information about, or reasonably suspect abuse, neglect or avoidable harm.

This policy must be read and used in conjunction with the current **St Helens Safeguarding Adults Multi-Agency Policy, Procedures and Good Practice Guidance**, together with any relevant local guidance, referral pathways, escalation processes and safeguarding practice updates issued by St Helens Council and the St Helens Safeguarding Adults Board.

TogetherCare's internal procedures do not replace the St Helens multi-agency safeguarding arrangements. Where a safeguarding concern arises, staff and managers must follow this policy alongside the relevant St Helens multi-agency procedures.

This policy applies specifically to TogetherCare's delivery of care and support at Foundry Wharf and Heyeswood Extra Care schemes. People living at these schemes live in their own homes and retain their rights, choices, privacy and tenancy rights. Safeguarding action must be person-centred, proportionate, lawful and least restrictive.

2. Purpose

The purpose of this policy is to ensure that TogetherCare:

- protects adults with care and support needs from abuse, neglect and exploitation
- responds promptly and safely to safeguarding concerns
- supports people to express their views, wishes and desired outcomes
- ensures staff know how and when to escalate concerns
- works effectively with St Helens Council, police, health professionals, commissioners, housing providers and other agencies
- meets its legal, contractual and regulatory responsibilities
- records safeguarding concerns accurately and confidentially
- learns from safeguarding incidents, allegations and enquiries.

3. Scope

This policy applies to all TogetherCare employees, bank staff, agency workers, managers, volunteers, contractors and anyone acting on behalf of TogetherCare.

It applies to safeguarding concerns involving:

- people receiving care or support from TogetherCare
- staff members
- visitors
- family members or informal carers
- other tenants or residents
- professionals or contractors
- any person whose actions or omissions may place an adult at risk.

It applies to concerns arising:

- within a person's own home or tenancy
- in communal areas at Foundry Wharf or Heyeswood
- during care visits or welfare checks
- during medication support, personal care, moving and handling or community access
- during contact with family, friends, neighbours, professionals or other tenants
- where abuse, neglect or exploitation may be occurring outside the scheme but affects a person receiving TogetherCare support.

4. Legal and Regulatory Framework

This policy is operated in line with:

- Care Act 2014
- Mental Capacity Act 2005
- Human Rights Act 1998
- Equality Act 2010
- Health and Social Care Act 2008
- Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, including Regulations 12, 13, 17 and 20
- Care Quality Commission (Registration) Regulations 2009
- Data Protection Act 2018 and UK GDPR
- Modern Slavery Act 2015
- Domestic Abuse Act 2021
- St Helens Safeguarding Adults Multi-Agency Policy, Procedures and Good Practice Guidance
- St Helens Safeguarding Adults Board escalation and dispute-resolution processes.

Section 42 of the Care Act applies where the local authority has reasonable cause to suspect that an adult has care and support needs, is experiencing or at risk of abuse or neglect, and is unable to protect themselves from that risk because of those needs.

CQC Regulation 13 requires providers to safeguard people from abuse and improper treatment, including discriminatory treatment, unlawful restraint and inappropriate deprivation of liberty.

5. Definitions

Adult with Care and Support Needs

A person aged 18 or over who has needs for care and support, whether or not those needs are being met by the local authority.

Safeguarding Concern

Any concern that an adult may be experiencing, or may be at risk of, abuse, neglect, exploitation, improper treatment or avoidable harm.

A concern does not need to meet the Section 42 criteria before staff act, report it internally or seek management advice.

Abuse and Neglect

Abuse and neglect may include:

- physical abuse
- domestic abuse
- sexual abuse
- psychological or emotional abuse
- financial or material abuse
- modern slavery
- discriminatory abuse
- organisational abuse
- neglect and acts of omission
- self-neglect
- exploitation, including criminal or sexual exploitation
- coercive or controlling behaviour
- cuckooing
- misuse of medication
- inappropriate restraint or restriction
- abuse through technology, online contact or financial scams.

Making Safeguarding Personal

Making Safeguarding Personal means working with the adult to identify what they want to happen, what would help them feel safer and how their wishes can be balanced with risks to them or others.

Person in a Position of Trust

A person in a position of trust may include an employee, volunteer, agency worker, professional, contractor, landlord, family member or other person whose role gives them access to, influence over or responsibility for an adult with care and support needs.

6. Safeguarding Principles

TogetherCare follows the six principles of adult safeguarding:

1. **Empowerment**
   People are supported to make their own choices and give informed consent.
2. **Prevention**
   Action is taken to prevent harm before it occurs.
3. **Proportionality**
   Responses are appropriate to the level of risk and do not restrict people unnecessarily.
4. **Protection**
   Support is provided to people at greatest risk of harm.
5. **Partnership**
   TogetherCare works with the person, their family where appropriate, professionals and relevant agencies.
6. **Accountability**
   Safeguarding decisions, actions and outcomes are clearly recorded and open to scrutiny.

7. Responsibilities

7.1 Registered Manager and Designated Safeguarding Lead

The Registered Manager is the Designated Safeguarding Lead for TogetherCare at Foundry Wharf and Heyeswood.

The Registered Manager will:

- ensure this policy is implemented and reviewed
- ensure staff receive appropriate safeguarding training
- oversee safeguarding referrals and communication with external agencies
- ensure immediate action is taken to reduce risk
- consider whether CQC notification, Duty of Candour, commissioner notification or other regulatory action is required
- ensure allegations involving staff or people in positions of trust are managed appropriately
- ensure learning is shared and embedded in practice
- monitor safeguarding concerns, trends and outcomes.

A senior manager may act as safeguarding lead in the Registered Manager's absence.

7.2 All Staff

All staff must:

- remain alert to signs of abuse, neglect, exploitation and avoidable harm
- take immediate action where someone is at risk
- contact emergency services where there is immediate danger
- report safeguarding concerns to the on-call manager, senior manager or Designated Safeguarding Lead without delay
- make factual records in Birdie and complete the relevant safeguarding incident record
- preserve evidence where safe and appropriate
- cooperate with safeguarding enquiries, police investigations and internal reviews
- maintain confidentiality and share information only where there is a lawful and necessary reason to do so
- never delay reporting because they are uncertain whether a concern meets safeguarding thresholds.

7.3 Housing Providers and Property Managers

At Foundry Wharf and Heyeswood, housing providers, landlords or managing agents retain responsibility for building maintenance, communal systems, repairs, security arrangements and environmental hazards.

Where staff identify a concern involving unsafe premises, fire safety, lifts, entry systems, heating, utilities, water leaks, unsafe communal areas or property damage, they must:

- take immediate action to reduce risk
- contact emergency services where needed
- report the matter through the relevant housing-provider reporting route
- inform TogetherCare management
- record the concern and actions taken.

A property-related concern may also be a safeguarding concern where it creates or contributes to abuse, neglect, exploitation or avoidable harm.

8. Recognising Safeguarding Concerns

Staff must remain professionally curious and alert to changes in presentation, behaviour, health, finances, relationships, home environment or daily functioning.

Possible indicators include:

- unexplained injuries, bruising, burns, fractures or repeated falls
- fearfulness, anxiety, withdrawal, sudden changes in behaviour or low mood

- reluctance to speak in front of another person
- unexplained changes to finances, possessions, bank cards, benefits or tenancy arrangements
- signs of poor nutrition, dehydration, poor hygiene, untreated health needs or medication concerns
- unexplained visitors, increased activity at a property, intimidation or suspected cuckooing
- poor living conditions, hoarding, fire risks, infestation, lack of food or unsafe self-neglect
- inappropriate sexualised behaviour, injuries or disclosures
- signs that someone is being controlled, isolated, pressured or denied access to support
- discriminatory comments, harassment, humiliation or unfair treatment
- concerns about unsafe staff practice, missed care, inappropriate restraint, poor record keeping or lack of dignity
- repeated refusal of care where there are concerns about coercion, fear, capacity or significant self-neglect.

Indicators do not prove abuse. However, they must be taken seriously, recorded and escalated appropriately.

9. Immediate Action When a Safeguarding Concern Arises

9.1 Make the Person Safe

Staff must first consider whether there is an immediate risk to life, health, wellbeing or safety.

Where necessary, staff must:

- call 999
- seek urgent medical advice
- remain with the person where safe and appropriate
- move away from immediate danger where this can be done safely and lawfully
- seek management support
- remove staff from direct contact with the person where there is an immediate safeguarding risk
- contact the housing provider or emergency repairs service where a building-related risk is involved.

Staff must not delay an emergency response while waiting for management advice.

9.2 Listen and Reassure

When a person discloses abuse or neglect, staff must:

- listen calmly
- take the disclosure seriously

- avoid showing shock, disbelief or judgement
- reassure the person that they have done the right thing by speaking up
- explain that the concern will be shared only with people who need to know in order to keep them safe
- avoid promising absolute confidentiality
- avoid asking leading questions or investigating the matter themselves
- record the person's own words wherever possible.

9.3 Preserve Evidence

Staff must take reasonable steps to preserve evidence.

This may include:

- not cleaning or disturbing an area where a crime may have occurred
- retaining relevant documents, medication records, care notes or messages
- recording names of witnesses
- avoiding repeated questioning of the person
- not taking photographs on personal devices
- following police or management advice regarding evidence.

10. Internal Reporting Procedure

Staff must report safeguarding concerns immediately to the on-call manager, senior manager or Designated Safeguarding Lead.

Where the concern involves the Registered Manager, staff must report directly to another senior manager, the commissioner, St Helens Council or the police, depending on the seriousness of the concern.

The staff member must complete a safeguarding incident report and make a factual Birdie record before the end of their shift wherever possible, and no later than 24 hours after the concern arose.

Records must include:

- date, time and location
- people involved
- factual details of what was seen, heard or reported
- the person's own words where relevant
- immediate action taken
- people contacted
- whether emergency services attended
- whether the person consented to information being shared

- any known risks or required follow-up.

11. External Referral and Multi-Agency Working

The Designated Safeguarding Lead will make or coordinate referrals to St Helens Council through the current adult safeguarding referral route.

Referrals must be made without delay where there is reasonable cause to suspect abuse, neglect or significant risk.

Outside normal working hours, managers must follow the current St Helens out-of-hours emergency arrangements where urgent intervention is required. St Helens Council's published safeguarding route includes emergency and out-of-hours support for adults at risk.

TogetherCare will work collaboratively with:

- St Helens Council Adult Social Care
- safeguarding teams
- police
- ambulance service and health professionals
- community mental health services
- social workers and care managers
- commissioners
- advocates
- housing providers and landlords
- family members or representatives, where appropriate and lawful.

The views, wishes and desired outcomes of the person must be recorded and shared as part of safeguarding discussions wherever possible.

12. Consent, Capacity and Information Sharing

TogetherCare will seek the person's consent before making a safeguarding referral wherever this is safe and appropriate.

Consent may not be required where:

- there is a serious risk of harm to the person or another person
- a crime may have been committed
- the person lacks capacity to make the relevant decision
- there is a public-interest reason to share information
- there is a legal duty to share information
- the concern involves coercion, exploitation, modern slavery, domestic abuse or undue influence.

A person's refusal of support, an unwise decision or a lifestyle choice does not automatically mean they lack capacity or require safeguarding intervention. However, staff must consider whether there is coercion, duress, exploitation, mental ill health, cognitive impairment, self-neglect or another factor affecting the person's ability to keep themselves safe.

Where a person lacks capacity, decisions must be made in line with the Mental Capacity Act 2005 and recorded appropriately.

13. Safeguarding at Foundry Wharf and Heyeswood

People living at Foundry Wharf and Heyeswood are tenants in their own homes. Staff must respect their privacy, tenancy rights, choices and right to live independently.

Staff must not enter a person's home without consent unless:

- the person has agreed to the planned care visit
- the care plan, risk assessment or tenancy agreement permits access in defined circumstances
- there is an immediate concern for life or safety
- access is required by emergency services or another lawful authority.

At Heyeswood, concerns identified during planned welfare checks, through contact from another tenant, from family members or from professionals must be assessed in line with the individual's care plan, risks and current circumstances.

Where a person does not answer a planned welfare check, staff must consider:

- known risks
- recent health or wellbeing concerns
- whether the person is usually contactable
- any known falls, medication, mobility, mental-health or self-neglect risks
- whether there are signs of concern within the property or communal environment
- whether emergency services, management or housing staff need to be contacted.

Staff must not delay escalation where there is a reasonable concern for the person's safety.

14. Allegations Against Staff or People in Positions of Trust

Any allegation or concern involving a staff member, volunteer, agency worker, contractor or another person in a position of trust must be reported immediately to the Registered Manager or another senior manager.

The concern must be assessed promptly to determine:

- whether the person using the service is safe
- whether immediate restrictions or changes to duties are required
- whether a safeguarding referral is needed

- whether police involvement is required
- whether the matter should be managed under the St Helens Person in a Position of Trust process
- whether HR, disciplinary or capability processes are required.

TogetherCare will not undertake an internal investigation that could compromise a police investigation, safeguarding enquiry or external process.

Any temporary removal from duties, amended duties or suspension will be considered fairly, proportionately and in line with HR procedures. Suspension is not automatic and is not a finding of guilt.

The St Helens PiPoT process sits alongside safeguarding procedures and does not replace safeguarding referrals where an adult may be at risk of abuse or neglect.

15. CQC Notifications and Duty of Candour

The Registered Manager will consider whether a CQC notification is required following a safeguarding concern, serious incident, police attendance, allegation of abuse, serious injury or event affecting the safe running of the service.

CQC requires providers to notify it of specified incidents that affect the health, safety and welfare of people who use services.

Where an incident meets the threshold for a notifiable safety incident, TogetherCare will follow its Duty of Candour procedure. This includes being open and transparent with the person or relevant representative, providing known information, offering an apology where required and recording all communication.

16. Safeguarding Records and Confidentiality

Safeguarding records must be:

- factual
- contemporaneous
- clear and professional
- securely stored
- limited to relevant information
- accessible only to authorised staff and agencies.

Safeguarding records must include:

- the nature of the concern
- risks identified
- actions taken
- referrals made
- decisions reached

- the person's wishes and outcomes
- communication with professionals, family or representatives
- outcomes of safeguarding enquiries
- changes to care plans, risk assessments or staff guidance.

Records must be retained in line with TogetherCare's records-management arrangements and applicable legal, regulatory and contractual requirements.

17. Training, Supervision and Learning

All staff will receive safeguarding training as part of induction.

Training will include:

- recognising abuse and neglect
- Making Safeguarding Personal
- reporting concerns
- consent, capacity and information sharing
- domestic abuse
- self-neglect
- modern slavery
- financial abuse
- organisational abuse
- allegations against staff
- safeguarding within Extra Care settings.

Safeguarding competence will be supported through supervision, competency checks, team meetings, spot checks, reflective learning and refresher training.

18. Audit and Governance

The Registered Manager or delegated manager will review safeguarding activity at least quarterly.

Reviews will consider:

- number and type of safeguarding concerns
- referrals and outcomes
- repeat concerns
- allegations against staff
- self-neglect concerns
- medication and falls concerns
- missed or unsafe care

- concerns involving housing, security or environmental risks
- lessons from safeguarding enquiries
- staff training and supervision needs
- effectiveness of actions taken.

Learning will be shared with staff and used to improve care plans, risk assessments, policies, training and service delivery.

19. Related Policies and Procedures

This policy should be read alongside:

- Accident, Incident and Near-Miss Reporting Procedure
- Medication Procedure
- Falls Prevention and Post-Fall Procedure
- Mental Capacity Act and Best Interests Procedure
- Duty of Candour Procedure
- Complaints Procedure
- Whistleblowing Procedure
- Disciplinary Procedure
- Data Protection and Confidentiality Policy
- Lone Working Procedure
- Emergency and Business Continuity Procedure
- Domestic Abuse Procedure
- Self-Neglect Procedure.

20. Policy Review

This policy will be reviewed annually, following any serious safeguarding incident, following changes to local or national guidance, or sooner where audit findings identify a need for amendment.